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King County Office of Performance, Strategy and Budget

A Special Report on the Rise in Black/African American Referrals and Secure Detention Admissions

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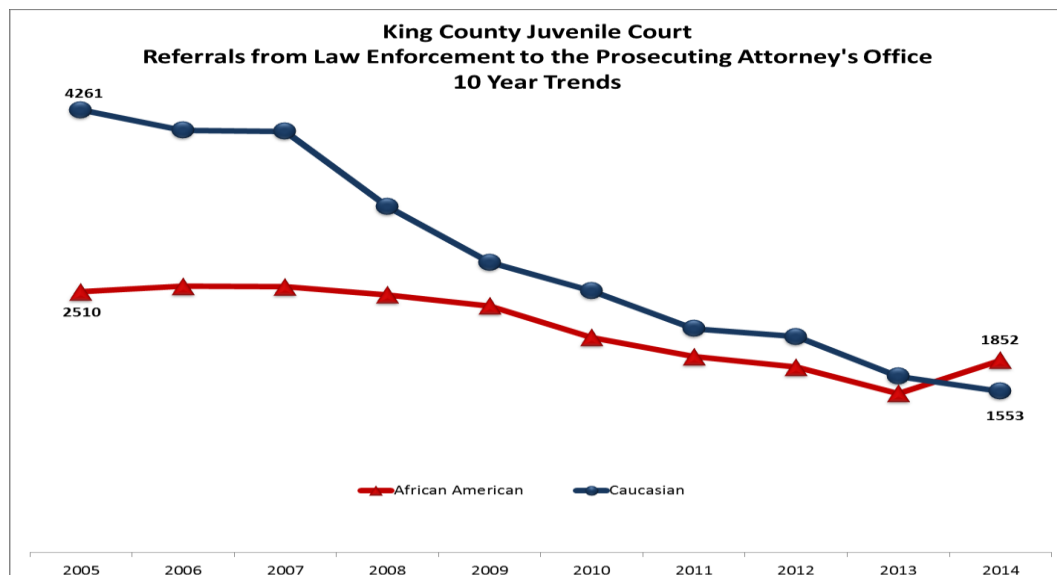


Executive Summary

This review was conducted to understand the prevalence and proportion of Black/African American youth referrals and admissions to King County's secure detention, particularly in the 2013-2014 time frame. The review contributes to providing a base of information for King County and agency and community partners to embark upon a major shift in philosophy of juvenile justice to end disproportionality in the juvenile justice system.

While the report includes some historical data, it primarily focuses on a single year, looking at the change in referrals and admissions from 2013-2014. Examination of one year's worth of data indicates an issue worth examining, but does not necessarily suggest a trend. This data should be re-examined over the next several years to see if the data continues to show an increase of referrals of Black youth. In the meantime, policies can be reviewed and other data analyzed to determine if there are unintended consequences of decision-making across the Juvenile Justice system.

Black/African youth represented 9.8% of the King County youth population in 2013, yet they comprised 42% of the referrals from law enforcement in 2014. During the 2013-2014 period, Black/ African American youth experienced an increase in both referrals from law enforcement (22%) and admissions to secure detention (11%) between 2013 and 2014, after several years of falling or leveling off numbers. These findings are in contrast to referrals and admissions of other groups, which continue to fall or plateau.



Misdemeanor referrals comprised the bulk of the 22% referral increase. While felony referrals of Black youth increased only slightly (about 6%, $n = 31$), it is important to note these changes. Some jurisdictions have greater disproportionality of Black youth referred and detained than others. Some jurisdictions also experienced a greater change in Black youth referrals and admissions to secure detention from 2013 to 2014 than others. It will be important to engage these jurisdictions to better understand the data and to affect change in disproportionality in the near and long term.

An 11% increase in secure detention admissions of Black youth was detected between 2013 and 2014. The largest numerical increase in admissions between the years 2013 and 2014 was for felony offenses against a person and offender warrants, which accounted for 72% of the change. For all youth, felony offenses and failure to appear warrants make up the largest percentage of admissions to secure detention on new or pre- adjudicated offenses. Youth admitted on felony offenses, especially crimes against a person, typically remain in detention for longer periods. Many youth are admitted on warrants where the underlying charge is a misdemeanor; however the average length of stay for warrants is about twice that of an admission for a new misdemeanor offense. The combination of more admissions and longer detention stays for these offense categories also had an impact on the average daily population in secure detention for African American youth. In 2013, the average daily population (ADP) for African American youth in secure detention was 24 or 42% of the total detention population. In 2014, the ADP increased to 29 youth or 51% of the total detention population. Admissions to detention are based on the Detention Intake Screening and Assessment which factors in the current offense, pending charges, warrant status, court orders, and recent detention and criminal history.

Background

In October 2014, an increase in Black referrals was noted when compared to the same period in the previous year (January – August, 2013 vs. 2014). During this time, referrals of all other races had fallen. An analysis was conducted to determine if a particular variable was driving the increase. The finding associated with the bulk of the increase was determined to be referrals on Theft 3 offenses in South King County (see *An Analysis of the Rise in Referrals of African American Youth, 2014 Compared to 2013, January through August*, presented October 22, 2014 at King County Juvenile Court Disproportionate Minority Contact Workgroup).

In January 2015, the yearly comparison statistics (2013 compared to 2014) were compiled and analyzed and the data indicated that the trend observed in October held for the year as referrals of Black youth continued to climb, while the rest of the groups measured had decreased. Additionally, while total secure detention admissions decreased slightly (1%) between calendar years 2013 and 2014, racial differences were observed (see Table 1) between groups.

Table 1. Secure Detention Admissions 2013 and 2014

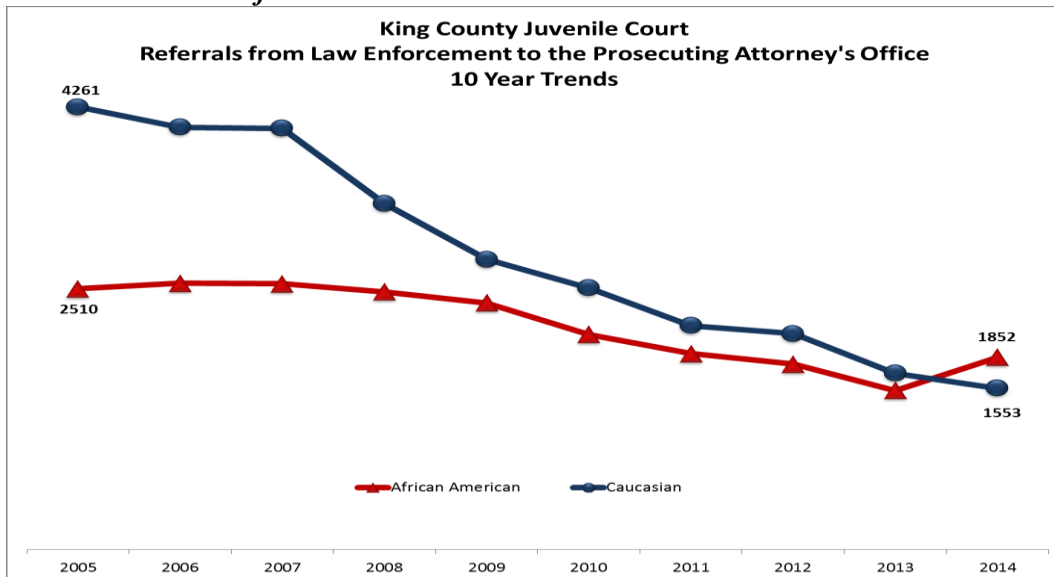
King County Juvenile Detention Secure Admissions 2013 and 2014

Race/Ethnicity	2013	2014	Numerical Change	% Change 2013 - 2014
Black	894	994	100	11%
Asian/Pacific Islander	140	132	-8	-6%
Caucasian	687	568	-119	-17%
Hispanic	287	294	7	2%
Native American	120	116	-4	-3%
Unk.	11	7	-4	-36%
Total	2139	2111	-28	-1%

A deeper and wider analysis was then conducted to determine if further investigation would yield answers to the increase in referrals and admissions to secure detention (see Special Report: *The Rise in Black/African American Referrals*, presented at JJOMP/JDOC, January 26, 2015). Ten years' worth of referral data was examined and results indicated that 2014 was the first time that Black referrals surpassed that of Caucasian youth (see Chart 1); while Black youth represented 9.8% of the King County youth population in 2013, they comprised 42% of the referrals from law enforcement in 2014.

In 2005, referrals of Black youth by law enforcement to the King County Prosecuting Attorney's Office were about 0.59 the rate of Caucasian youth referred that year (or they had 59% the number of referrals of Caucasian youth). By 2013, Black youth were referred at a 0.90 the rate of Caucasian youth and by 2014, referrals rose to 1852 or a rate of 1.19 that of Caucasian youth, surpassing White youth for the first time. Between 2013 and 2014, referrals from law enforcement of Black youth increased by 319 referrals, while referrals of Caucasians youth fell by 144.

Chart 1. 10 Year Referral Trends



Digging deeper into the offense level of the referrals revealed that the trends of felony referrals for Caucasian and Black youth have been divergent (see Chart 2), and the gap between them has increased steadily since 2012. In 2014, Black youth were referred 579 times, compared to 308 times for Caucasian youth. Misdemeanor referrals have followed the overall declining referral trend between Black and Caucasian youth with the gap decreasing until the point of meeting in 2014 (see Chart 3).

Chart 2. Ten Year Felony Referral Trends

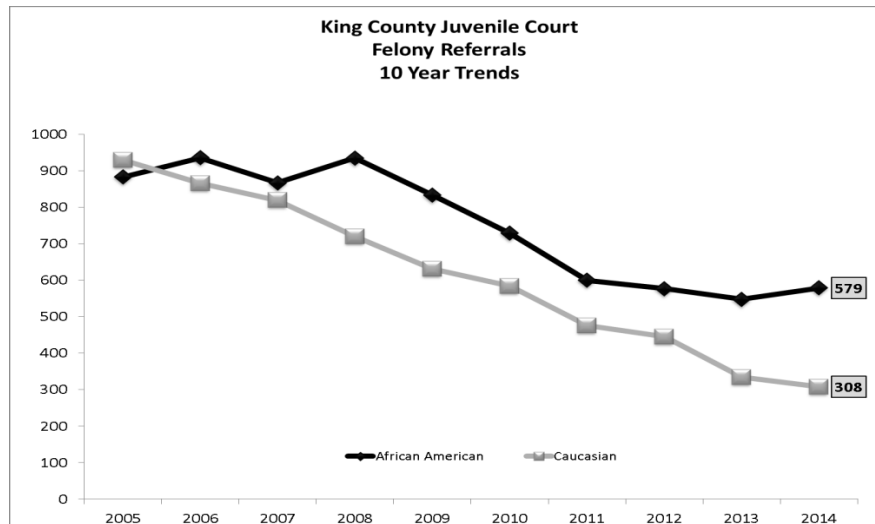
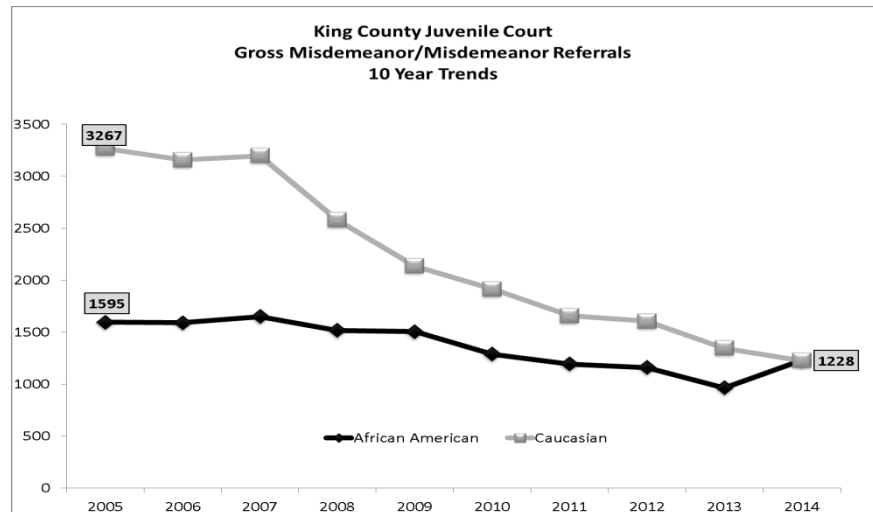


Chart 3. Ten Year Gross Misdemeanor/Misdemeanor Referral Trends

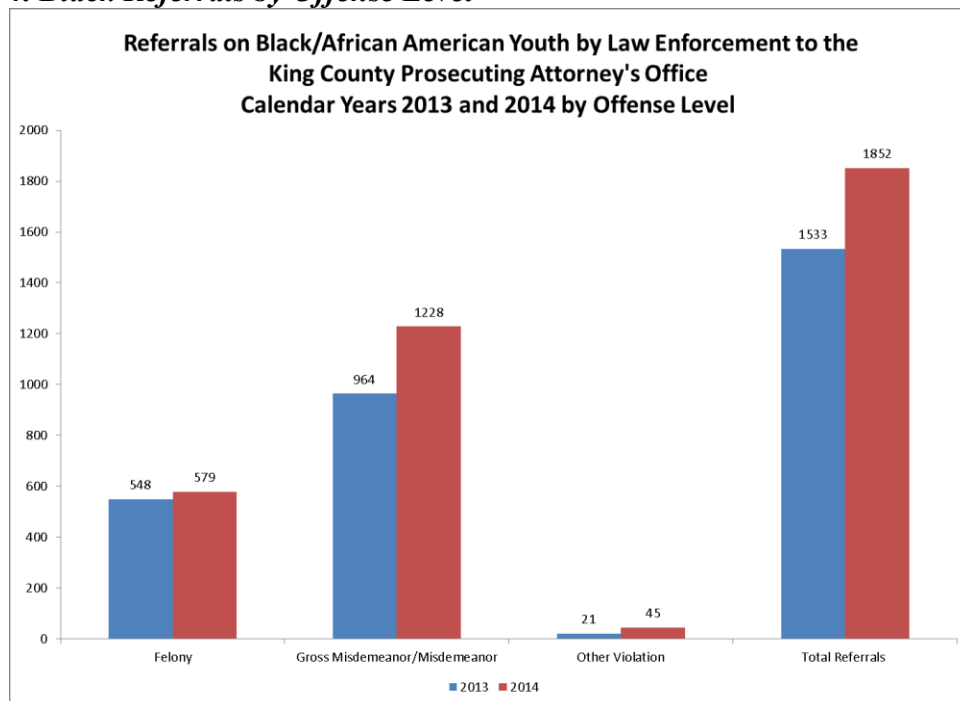


Current Study

The current study evaluated the source of the increase in referrals to the King County Prosecuting Attorney's Office in 2014 and if there were specific offenses youth were being referred on by those agencies.

Current and previous analysis indicated the preponderance of the increase in referrals of Black youth between 2013 and 2014 were for misdemeanor offenses (see Chart 4).

Chart 4. Black Referrals by Offense Level



Misdemeanor Referrals

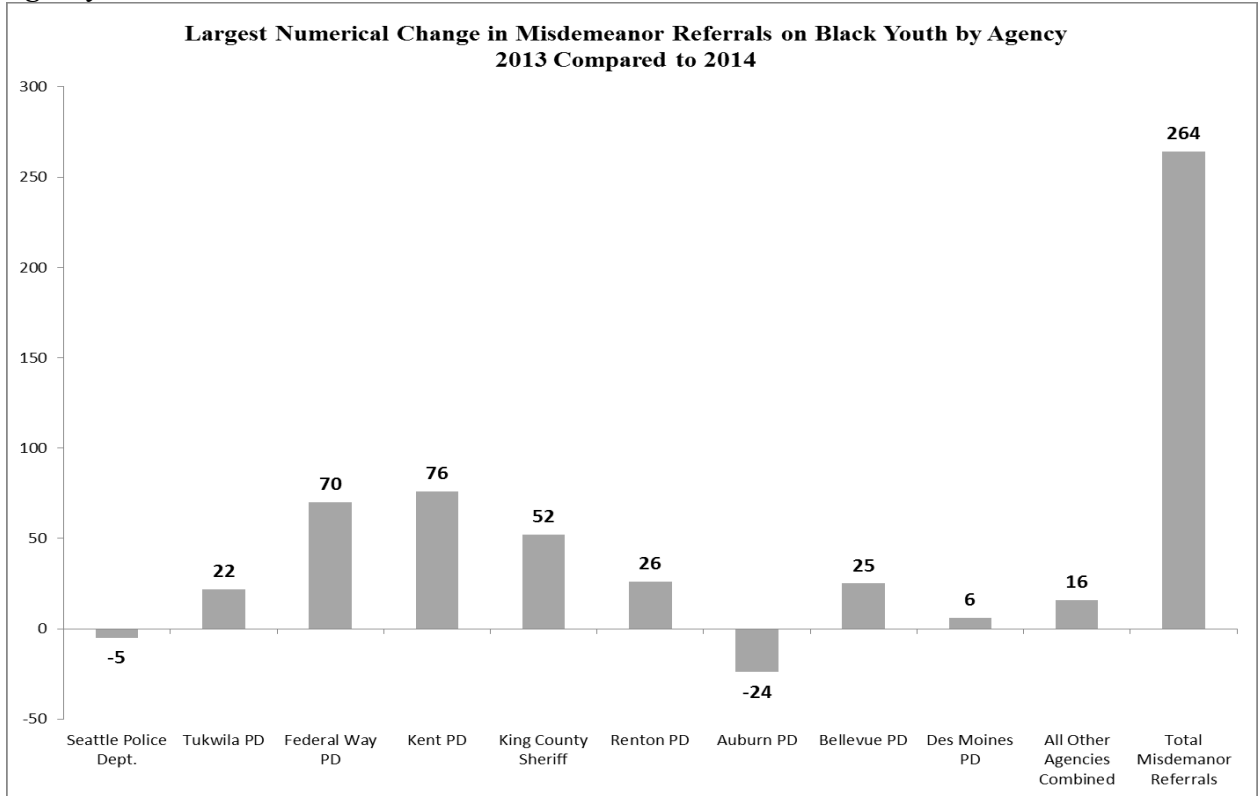
Differences in misdemeanor referrals by year were compared between agency and race for any agency that made more than 30 referrals on Black youth in 2014 (see Table 2). The Seattle Police Department has the largest volume of misdemeanor referrals for both Black and Caucasian youth, though Black youth referrals from Seattle Police Department were lower in 2014 than in 2013. Auburn also experienced a decline in Black youth referrals in 2014. All other jurisdictions with more than 30 misdemeanor referrals experienced an increase in Black youth referrals.

Table 2. Changes in Misdemeanor Referrals by Agency 2013 to 2014

**King County Juvenile Referrals to the Prosecuting Attorney's Office by Agency
Misdemeanor Referrals Counts >=30 for Black Youth in 2014**

Referring Agency	Black Youth				White Youth			
	2013	2014	Difference	% Change	2013	2014	Difference	% Change
Seattle Police Dept.	272	267	-5	-2%	203	164	-39	-19%
Tukwila PD	147	169	22	15%	85	80	-5	-6%
Federal Way PD	92	162	70	76%	74	79	5	7%
Kent PD	69	145	76	110%	72	66	-6	-8%
King County Sheriff	55	107	52	95%	116	101	-15	-13%
Renton PD	71	97	26	37%	51	48	-3	-6%
Auburn PD	73	49	-24	-33%	109	82	-27	-25%
Bellevue PD	21	46	25	119%	79	114	35	44%
Des Moines PD	24	30	6	25%	15	17	2	13%
Subtotal Main Agencies	824	1072	248	30%	804	751	-53	-7%
All Other Agencies Combined	140	156	16	11%	541	476	-65	-12%
Total Misdemeanor Referrals	964	1228	264	27%	1345	1227	-118	-9%

Chart 5. Largest Numerical Changes in Misdemeanor Referrals on Black Youth by Agency

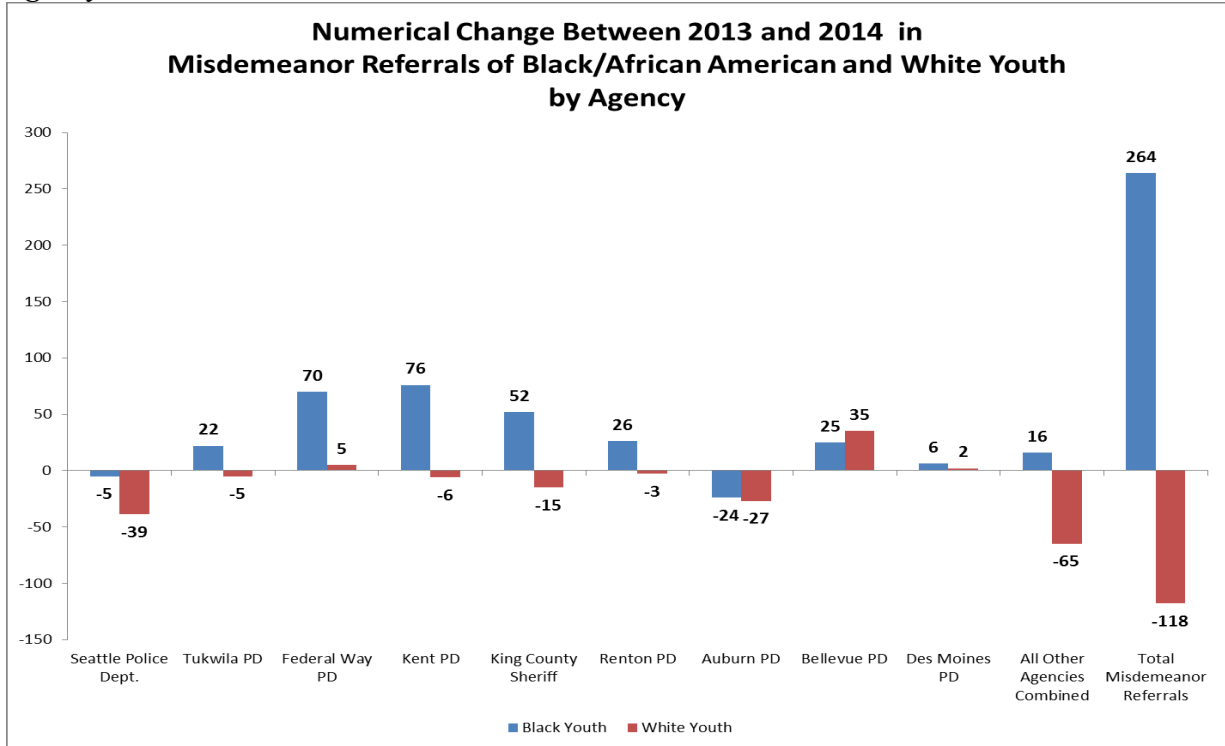


Referrals by the three agencies with the largest numerical change accounted for 75% of the increase in misdemeanor referrals on Black youth in King County. It is estimated that Black youth make up 11% and 16% of the youth population in Federal Way and Kent, respectively, but 50% and 52% of their total misdemeanor referrals in 2014¹. Most increases in misdemeanor referrals were for Assault 4, Assault 4-DV, Theft 3, and for Criminal Trespass.

¹ C. Felt, KC PSB, March, 2015.

Source: US Census American Community Survey, 2011-13 three-year data, and WA State OFM.

Chart 6. Numerical Change in Misdemeanor Referrals of Black and White Youth by Agency



Felony Referrals

Felony referrals of Black youth increased 6% (or n = 31) between 2013 and 2014. Though the numbers are small, a few interesting differences between agencies were found.

Felony referrals by the Seattle Police Department represent the bulk of felony referrals by a single agency for both Black and Caucasian youth in 2014 (35% and 21%, respectively). They referred 7% less Black youth than they did in 2013 and 24% more Caucasian youth than the previous year (see Table 3).

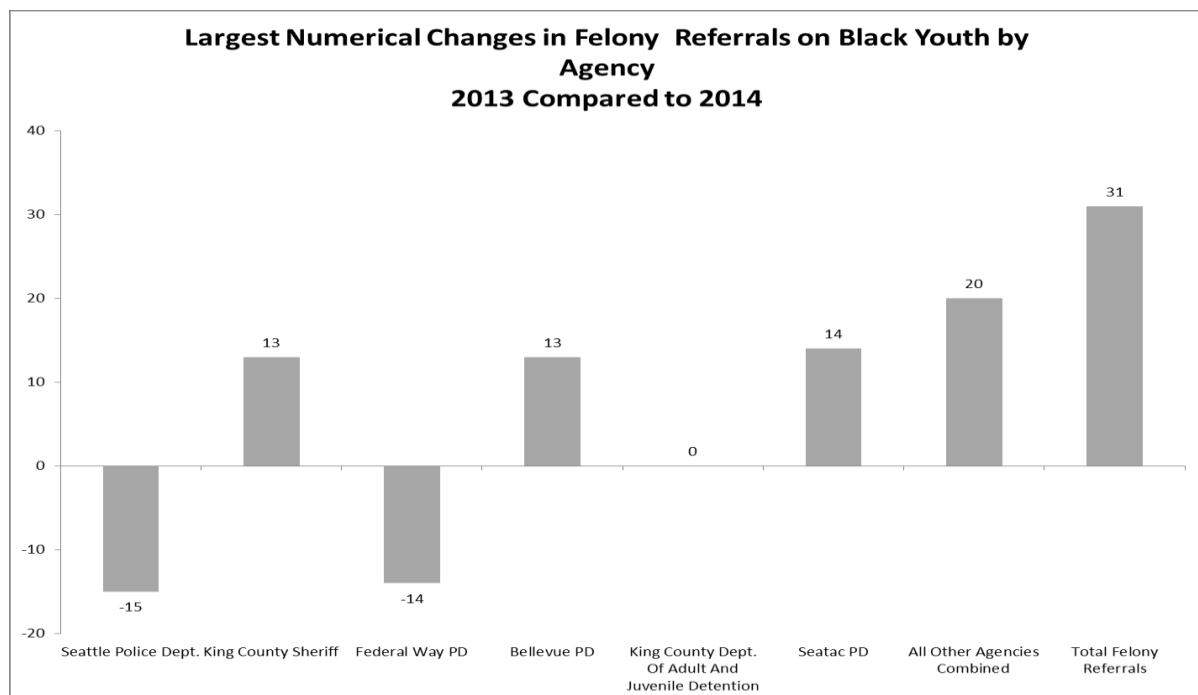
Table 3. Changes in Felony Referrals by Agency 2013 to 2014

**King County Juvenile Referrals to the Prosecuting Attorney's Office by Agency
Top Felony Referrals Counts for Black/African American Youth in 2014**

Referring Agency	Black Youth				White Youth			
	2013	2014	Difference	% Change	2013	2014	Difference	% Change
Seattle Police Dept.	220	205	-15	-7%	51	63	12	24%
King County Sheriff	66	79	13	20%	54	58	4	7%
Federal Way PD	53	39	-14	-26%	24	14	-10	-42%
Bellevue PD	14	27	13	93%	19	21	2	11%
King County-Adult & Juvenile Detention	22	22	0	0%	7	7	0	0%
Seatac PD	4	18	14	350%	3	5	2	67%
Subtotal Main Agencies	379	390	11	3%	158	168	10	6%
All Other Agencies Combined	169	189	20	12%	176	140	-36	-20%
Total Felony Referrals	548	579	31	6%	334	308	-26	-8%

When Black felony referral data was examined by agency and offense, the changes were mostly small (increase of less than 5) likely due to the small change in Black felony referrals overall (+6%). As some agencies had increases, others decreased

Chart 7. Largest Numerical Changes in Felony Referrals on Black Youth by Agency

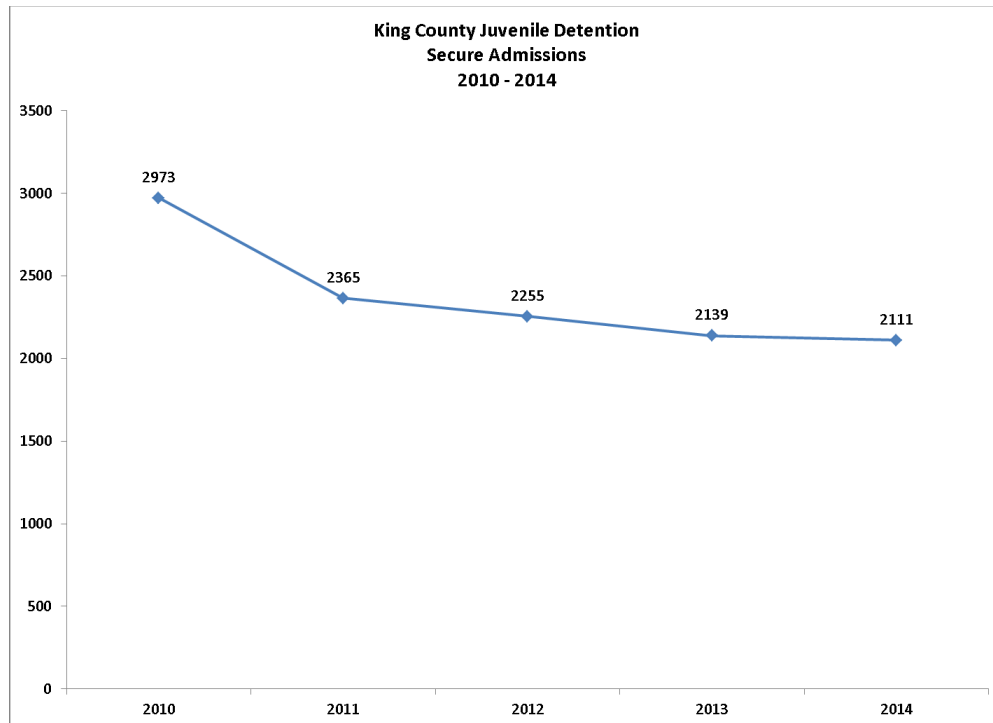


Secure Detention Admissions

Admissions to secure detention are typically driven by person felony referrals, warrants, both, or court orders. A youth will not usually be admitted to detention on a misdemeanor offense, unless the youth has a warrant, has pending charges, spent time in detention in the last 30 days, pled guilty to a felony within the past six months or if circumstances dictate an override.

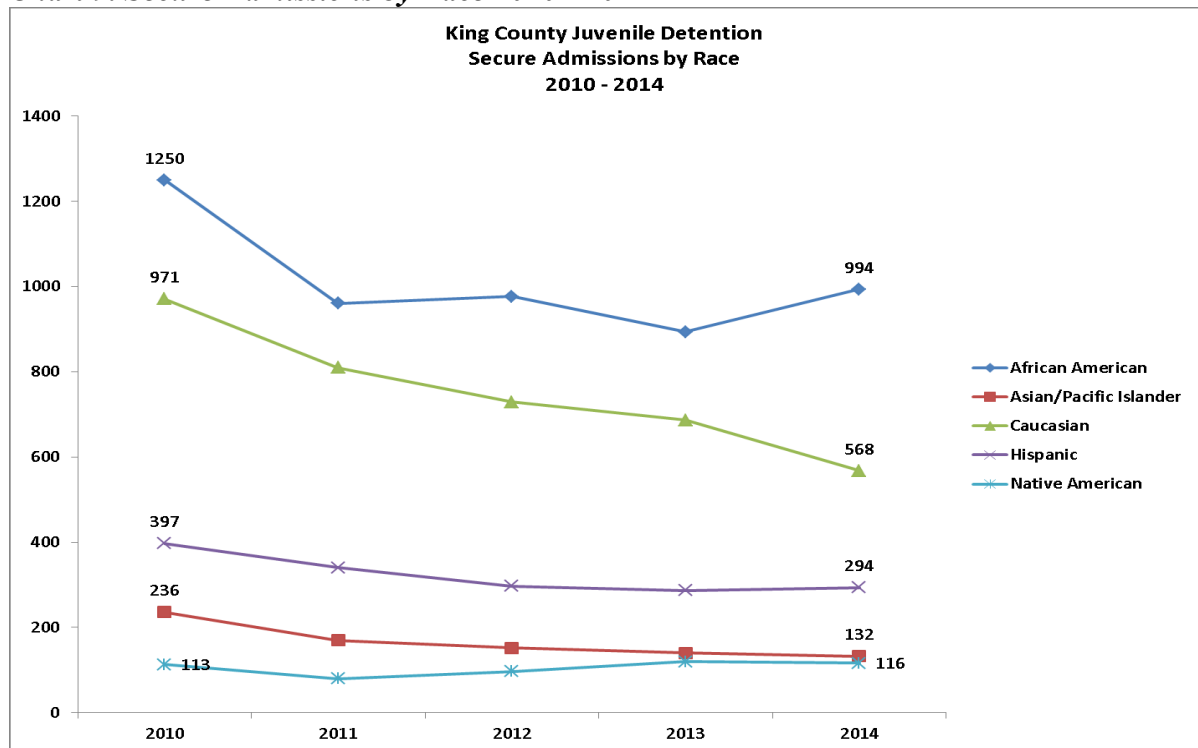
Secure admissions fell steadily over the last five years, and dropped 29% during that five year time period (see Chart 8).

Chart 8. Secure Admissions 2010 - 2014



Examination of secure admission data by race revealed the following: a continual downward trend for Asian/Pacific Islander and Caucasian youth; a leveling out for Hispanic youth since 2012; a very slight uptick for Native American youth admissions; and though admissions of Black youth were 20% less in 2014 than in 2010, they increased 11% between 2013 and 2014 (see Chart 9).

Chart 9. Secure Admissions by Race 2010 - 2014



As admissions to secure detention fell overall and within most race groups, the percent of the average daily population (ADP) increased within groups. In Chart 10 it is evident how the change between 2013 and 2014 affected the ADP% between races. The falling admission totals and an increase or decrease of groups (Chart 11), enlarges the percentage of the total for individual group increases. For example, comparing 2013 and 2014, Black and Caucasian youth flip-flopped. In 2013, Black ADP percentage dropped, while Caucasian percent of ADP increased. The reverse happened in 2014 as Caucasian admissions dropped by 17% and Black youth admissions increased 11% (see Chart 11).

Chart 10. ADP Contribution by Race/Ethnicity

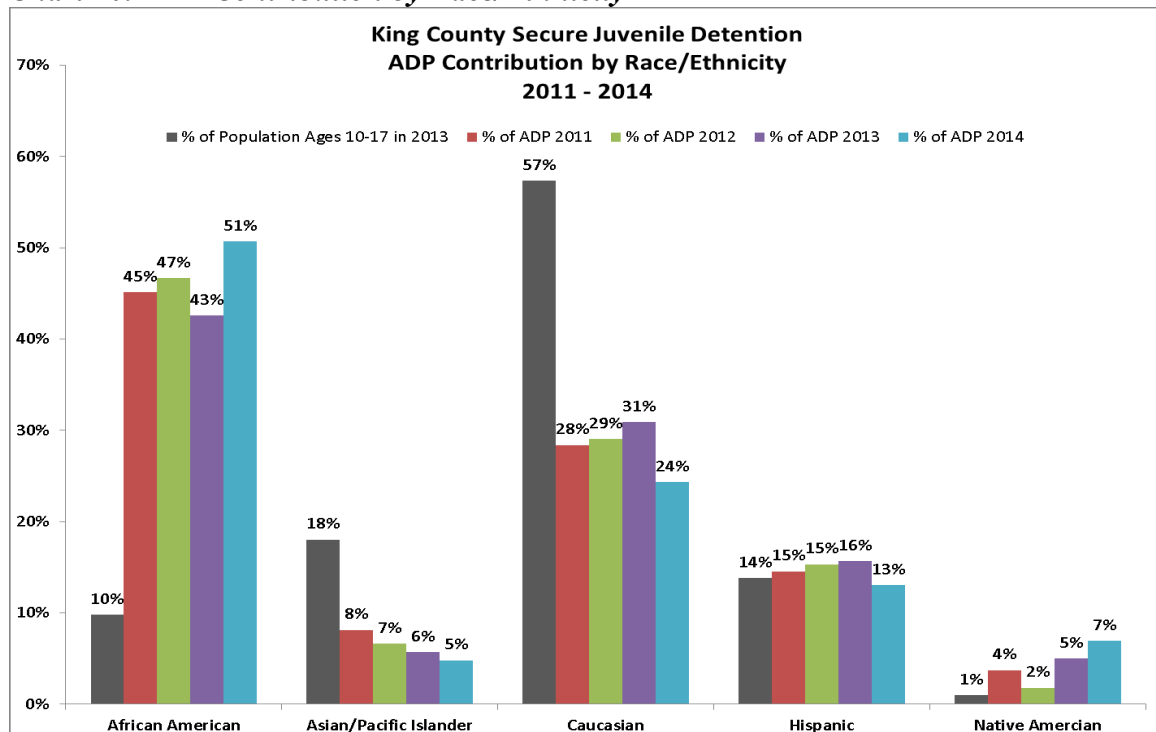
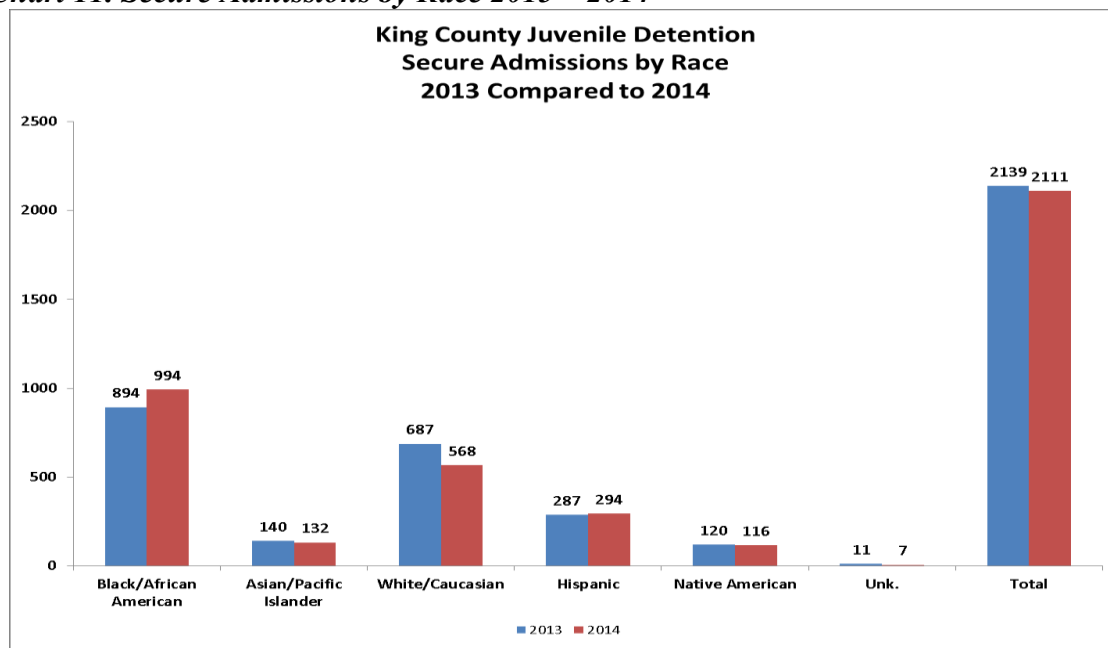


Chart 11. Secure Admissions by Race 2013 – 2014

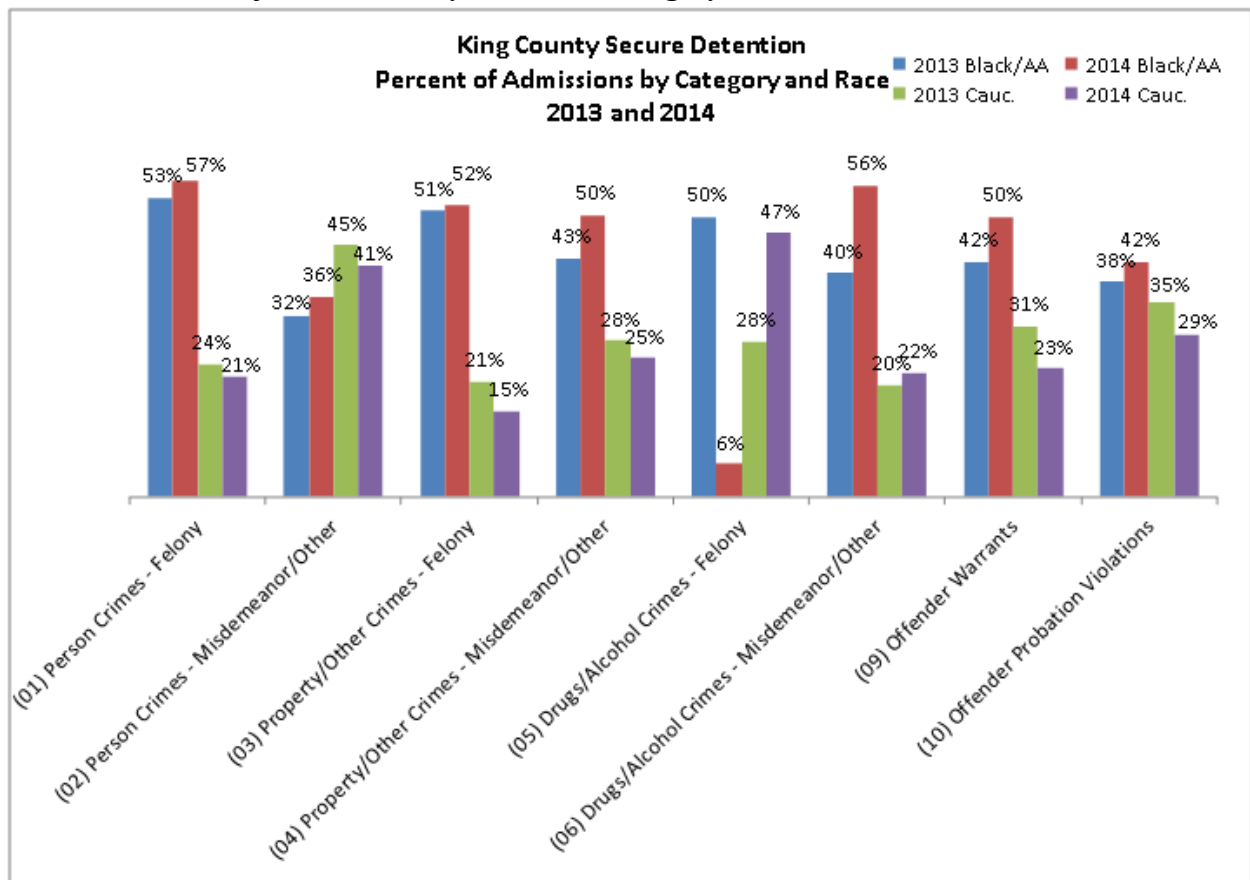


Admissions to secure detention were analyzed by race² and admission category³ for the years 2013 and 2014 (see Chart 12).

² The two largest admissions race groups were analyzed.

³ In the interest of space, only major admissions categories included in Chart 14. Those excluded were: Non-offender categories, Drug Court, Other, and Court-ordered Sentencing.

Chart 12. Percent of Admissions by Race and Category 2013 - 2014



As previously noted, Black youth experienced an increase in total secure detention admissions, (up 11% from 2013; $n = 100$), while most⁴ other groups had less admissions than in 2013. Black youth represented the majority of all felony admissions (Person Crimes-Felony and Property/Other Crimes-Felony; see Chart 14) and nearly every other admission category.

Admissions for Drugs/Alcohol-Felony offenses plummeted for Black youth in 2014, and increased substantially for Caucasian youth; Black youth accounted for 56% of admissions of Drugs/Alcohol Crimes-Misdemeanor/Other offenses.

Admissions for Offender Warrants increased for Black youth, while they fell for Caucasian youth. While the *number* of Black admissions for Offender Probation Violations dropped slightly ($n = 2$), Black youth continue to make up the largest portion of admissions for Offender Probation Violations. In 2014, Black youth accounted for 50% of admissions for Offender Warrants, and 42% of admissions on Offender Probation Violations.

⁴ Hispanic youth had a total increase of 7 admissions in 2014 over 2013.

Conclusion

Black/African youth represented 9.8% of the King County youth population in 2013, yet they comprised 42% of the referrals from law enforcement in 2014. During the 2013-2014 time frame, black/African American youth experienced an increase in both referrals from law enforcement (22%) and admissions to secure detention (11%) between 2013 and 2014, after several years of falling or leveling off numbers. These findings are in contrast to referrals and admissions of other groups, which continue to fall or plateau.

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An 11% increase in secure detention admissions of Black youth was detected between 2013 and 2014. The largest numerical increase in admissions between the years 2013 and 2014 was for felony offenses against a person and offender warrants, which accounted for 72% of the change. For all youth, felony offenses and failure to appear warrants make up the largest percentage of admissions to secure detention on new or pre-adjudicated offenses. Youth admitted on felony offenses, especially crimes against a person, typically remain in detention for longer periods. Many youth are admitted on warrants where the underlying charge is a misdemeanor; however the average length of stay for warrants is about twice that of an admission for a new misdemeanor offense. The combination of more admissions and longer detention stays for these offense categories also had an impact on the average daily population in secure detention for African American youth. In 2013, on average 24 African American youth were detained or 42% of the total detention population that increased to 29 youth and 51% in 2014. Admissions to detention are based on the Detention Intake Screening and Assessment which factors in the current offense, pending charges, warrant status, court orders, and recent detention and criminal history.

Limitations of the Data

Data analysis is only as informative as it has the potential of being, and depends on how accurate was the data entry *into* the system it is extracted *from*. The Office of Performance, Strategy and Budget does not enter data into the Juvenile Information Management System (JIMS), and therefore can only vouchsafe for the analysis itself, and not any underlying data issues.

Examination of one year's worth of data indicates an issue worth examining, but does not necessarily suggest a trend. This data should be re-examined over the next several years to see if the data continues to show an increase of referrals of Black youth. In the meantime, policies can be reviewed and other data analyzed to determine if there are unintended consequences of decision-making across the Juvenile Justice system.